

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Christopher L. Brown,
Petitioner

vs

Case No. 1:01cv840
(Beckwith, J.; Perelman, M.J.)

Pat Hurley,
Respondent

ORDER

Petitioner, an inmate in state custody at the Ross Correctional Institution in Chillicothe, Ohio, brings with the assistance of counsel a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his 1999 conviction for voluntary manslaughter. (*See* Doc. 1).

As his sole ground for relief, petitioner alleges that there was insufficient evidence to support his conviction because the state failed to establish that petitioner possessed the requisite mental state. (Doc. 1 at 4). In his return of writ, respondent addresses the merits of petitioner's claim. (*See* Doc. 7 at 9-13). Respondent does not include a copy of the transcript of the trial as an exhibit to the return of writ.

Review of the transcript of the trial would be helpful to this Court in adjudicating petitioner's insufficiency of evidence claim. Because the transcript is not contained in the record submitted to the Court by respondent, respondent is

hereby ORDERED to provide this Court with the transcript described above within twenty (20) days of the date of filing of this Order.

IT IS SO ORDERED.

Date: March 8, 2004

S/David S. Perelman
David S. Perelman
United States Magistrate Judge

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